IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P No. 14051 of 2007

Date of decision : September 11, 2007

Bhoop Singh,

.....Petitioner

through Mr.Arun Yadav, Advocate

v.

State of Haryana and others,

.....Respondents

through

CORAM : HON'BLE MR.JUSTICE UMA NATH SINGH
HON'BLE MR.JUSTICE RAJIVE BHALLA

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1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

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RAJIVE BHALLA,J

Challenge, in this writ petition, is to the notifications, issued under Sections 4 & 6 of the Land Acquisition Act, dated 27.1.2003 and 23.1.2004 respectively, as also the award, pronounced by the Land Acquisition Collector, dated 20.1.2006.

We have heard learned counsel for the petitioner and perused the paper book.

We express our inability to interfere in the matter, in view of inordinate delay by the petitioner in approaching this Court. Notification, under Section 4 of the Land Acquisition Act (for short herein after referred to as "the Act"), was issued on 27.1.2003. This was followed by a declaration, under Section 6 of the Act, dated 23.1.2004. The Land

Acquisition Collector pronounced his award on 20.1.2006. The present writ petition has been filed on 10.7.2007. No reason for this inordinate delay is discernible from the pleadings. Even otherwise, the award was pronounced more than one and half year before filing of the writ petition. The contention, urged by counsel for the petitioner, that similar writ petition, namely, CWP No.10011 of 2004, impugning the same acquisition, is pending adjudication, in our considered opinion, would not enure to the petitioner's benefit, as the primary submission, advanced by counsel for the petitioner, is that the petitioner's land be released from acquisition, as he has raised construction on the acquired land. We have perused photographs, appended as Annexure P-6, and are satisfied that apart from a boundary wall and three small insignificant structures in the shape of sheds, the entire land is vacant. It would also be necessary to mention here that the writ petition, relied upon, was filed in 2004. As the present petition suffers from gross delay and laches, and the award has also been pronounced, the writ petition is dismissed in limine.

(RAJIVE BHALLA)
JUDGE

(UMA NATH SINGH)
JUDGE

September 11, 2007
'kk'